

**PROPOSED RESOLUTION NO. 2021-R-02**

**RESOLUTION NO. 3730**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE APPROXIMATE 4.242 ACRE PROPERTY GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND EAST OF SOUTHWEST 202 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, KNOWN AS THE PINES 200 EAST PLAT; AUTHORIZING CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Applicant, Hix Snedeker Companies, LLC,, has submitted a delegation request application for an approximate 4.242 acre property generally located south of Pines Boulevard and east of Southwest 202 Avenue, as more particularly described in **Exhibit "A"**, attached hereto and known as the Pines 200 East Plat; and,

**WHEREAS**, the City Commission approved the Pines 200 East Plat through Resolution No. 2921 on December 18, 2002; and,

**WHEREAS**, The Applicant requests modify the plat note to accommodate the development of a Tractor Supply Store; and,

**WHEREAS**, the applicant has applied for a zoning change application with associated commercial flexibility allocation and voluntary restrictive covenants for this property which is being heard concurrently with this plat note change request; and,

**WHEREAS**, the existing plat note 5 for the subject property states:

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This plat is restricted to 21,635 square feet of office use, and 20,785 square feet of commercial use. The commercial uses must be restricted to retail within the office buildings, and must comprise less than 50 percent (50%) of the total square footage. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. DF98-1016. Tract "C" is restricted to drainage area.; and,

**WHEREAS**, Broward County requires City approval for any amendment to the plat note; and,

**WHEREAS**, the applicant requests that Broward County approves the following proposed plat note 5 language:

This plat is restricted to 24,000 square feet of commercial use. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. OF98-1016. Tract "C" is restricted to drainage area; and,

**WHEREAS**, the applicant also requests to remove plat note 4 from the plat in its entirety, which currently states:

"If a building permit for a principal building (excluding dry models , sales and construction offices) and first inspection approval are not issued by March 16, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County land development code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced timeframe; and/or

If project water lines, sewer lines, drainage and the rock base for internal roads are not installed by March 16, 2009, which date is five (5) years from

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the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County land development code. This requirement may be satisfied for a phase of the project, provided a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame."

**WHEREAS**, the City's professional staff has reviewed the proposed plat note amendment and has no objection to the same; and

**WHEREAS**, the City Commission of the City of Pembroke Pines finds that the proposed Plat Note Amendment request to be in the best interests of the citizens and residents of the City of Pembroke Pines.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission. All exhibits referenced herein and attached hereto are hereby incorporated herein.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida, hereby approves the Plat Note Amendment (Delegation Request) for the Pines 200 East Plat generally located south of Pines Boulevard and east of Southwest 202 Avenue, as more particularly described in **Exhibit "A,"** attached hereto, amending the plat note 5 as follows:

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This plat is restricted to 24,000 square feet of commercial use. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. OF98-1016. Tract "C" is restricted to drainage area; and,

**Section 3.** The City Commission of the City of Pembroke Pines, Florida, hereby approves the removal of plat note 4 in its entirety from the plat; and

**Section 4.** City Administration is hereby authorized to take any action necessary to implement the intent of this Resolution.

**Section 5.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 7.** This Resolution shall become effective immediately upon its passage and adoption.

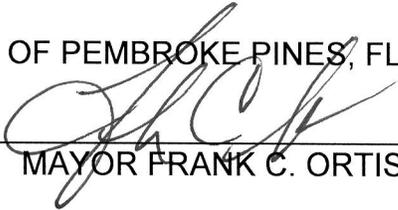
**(REMAINDER INTENTIONALLY LEFT BLANK)**

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, THIS 3RD DAY OF FEBRUARY, 2021.**

CITY OF PEMBROKE PINES, FLORIDA

By:   
MAYOR FRANK C. ORTIS

ATTEST:  
  
MARLENE GRAHAM, CITY CLERK

APPROVED AS TO FORM:  
 2/4/2021  
OFFICE OF THE CITY ATTORNEY

ORTIS	<u>ABSTAINED</u>
CASTILLO	<u>AYE</u>
GOOD	<u>AYE</u>
SCHWARTZ	<u>AYE</u>
SIPLE	<u>AYE</u>









# City of Pembroke Pines, FL

601 City Center Way  
Pembroke Pines, FL  
33025  
www.ppines.com

## Agenda Request Form

**Agenda Number: 22.**

**File ID:** 2021-R-02

**Type:** Resolution

**Status:** Passed

**Version:** 2

**Agenda  
Section:**

**In Control:** City Commission

**File Created:** 01/19/2021

**Short Title:** Proposed Resolution 2021-R-02: Pines 200 east plat  
(Tractor Supply) delegation request

**Final Action:** 02/03/2021

**Title:** MOTION TO ADOPT PROPOSED RESOLUTION 2021-R-02.  
**[RESOLUTION 2021-R-02 ATTACHED HERETO HAS BEEN  
CORRECTED AND REPUBLISHED 1/28/2021. Proposed Resolution  
2021-R-02 has been corrected to identify the general location of the  
plat to be south of Pines Boulevard and east of Southwest 202  
Avenue.]**

PROPOSED RESOLUTION 2021-R-02 IS A RESOLUTION OF THE CITY  
COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA,  
APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST)  
FOR THE APPROXIMATE 4.242 ACRE PROPERTY GENERALLY  
LOCATED SOUTH OF PINES BOULEVARD AND EAST OF SOUTHWEST  
202 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A",  
ATTACHED HERETO AND INCORPORATED HEREIN, KNOWN AS THE  
PINES 200 EAST PLAT; AUTHORIZING CITY ADMINISTRATION TO TAKE  
ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS  
RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR  
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**\*Agenda Date:** 02/03/2021

**Enactment Date:** 02/03/2021

**Agenda Number:** 22.

**Enactment Number:** 3730

**Internal Notes:**

**Attachments:** 1. 2021-R-02 Plat Note Delegation Request Tractor Supply, 2. Delegation Request, 3. Pines 200 East Plat (Exhibit A), 4. Email from Broward County

**Indexes:**

1 City Commission 02/03/2021 adopt

Pass

**Action Text:** A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to adopt Proposed Resolution 2021-R-02. Mayor Ortis recused himself from voting on Proposed Resolution 2021-R-02, related to the foregoing quasi-judicial item Proposed Ordinance 2021-01. Mayor Ortis intends to file a Form 8B Conflict disclosure form. The motion carried by the following vote:

Aye: - 4 Vice Mayor Schwartz, Commissioner Good Jr., Commissioner Castillo,  
and Commissioner Siple  
Abstain: - 1 Mayor Ortis  
Nay: - 0

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**SUMMARY EXPLANATION AND BACKGROUND:**

1. Greenspoon Marder, agent for applicant Hix Snedeker Companies, LLC, is requesting a plat note change for the Pines 200 East Plat generally located south of Pines Boulevard and east of Southwest 202 Avenue.
2. The City Commission approved the original Pines 200 East Plat through resolution 2921 on December 18, 2002.
3. In conjunction with a revised development plan, the following plat note change is being requested:

**CURRENT NOTE:**

This plat is restricted to 21,635 square feet of office use, and 20,785 square feet of commercial use. The commercial uses must be restricted to retail within the office buildings, and must comprise less than 50 percent (50%) of the total square footage. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. DF98-1016. Tract "C" is restricted to drainage area.

**PROPOSED NOTE:**

This plat is restricted to 24,000 square feet of commercial use. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. OF98-1016. Tract "C" is restricted to drainage area .

4. Further, the applicant requests to remove the following note from the plat (note 4):

"If a building permit for a principal building (excluding dry models , sales and construction offices) and first inspection approval are not issued by March 16, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County land development code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or

Agenda Request Form Continued (2021-R-02)

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If project water lines, sewer lines, drainage and the rock base for internal roads are not installed by March 16, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County land development code. This requirement may be satisfied for a phase of the project, provided a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame."

5. Broward County Planning and Development Management Division staff reviewed the proposed changes and have no objections.

6. The City Commission passed Proposed Ordinance No. 2021-01 (Rezoning for Tractor Supply) on first reading at the January 13, 2021 meeting. Second and final reading of Proposed Ordinance No. 2021-01 to rezone the property is scheduled on tonight's agenda and is being heard concurrently with the plat note amendment.

7. The proposed plat note is consistent with the Proposed Ordinance No. 2021-01.

8. Administration recommends adoption of proposed resolution 2021-R-02.

**9. Proposed Resolution 2021-R-02 has been corrected to identify the general location the plat to be south of Pines Boulevard and east of Southwest 202 Avenue.**

**FINANCIAL IMPACT DETAIL:**

- a) **Initial Cost:** None.
- b) **Amount budgeted for this item in Account No:** Not Applicable.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project:** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.